

DECLARATION OF RYAN S. HILBERT

I, Ryan S. Hilbert, declare:

1. I am an attorney duly admitted to practice before this Court. I am a Special Counsel with the law firm of Sheppard Mullin Richter & Hampton, LLP, counsel for Defendant and Counterclaimant Summit Entertainment, LLC (“Summit”).

2. Attached hereto as **Exhibit A** is a true and correct copy of the proof of service demonstrating personal service on Counterdefendant Alec Chase on May 2, 2012. This document was filed with the Court on or around May 16, 2012. (Docket No. 60.)

3. To date, neither Alec Chase, nor anyone representing Mr. Chase has contact Summit's counsel or Summit's local counsel to ask for an extension of time to respond to the Counterclaim.

I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct.

Executed this 11th day of June, 2012 at Palo Alto, California.

/s/Ryan S. Hilbert/
Ryan S. Hilbert

EXHIBIT A

UNITED STATES DISTRICT COURT
for the
NORTHERN DISTRICT OF OHIO
Western Division

Matthew Smith, pka Matt Heart)	
<i>Plaintiff</i>)	
v.)	Civil Action No. 3:11-CV-00348
Summit Entertainment, LLC)	
<i>Defendant</i>)	
Summit Entertainment, LLC)	
<i>Counterclaimant</i>)	
v.)	
Matthew Smith, pka Matt Heart and Alec Chase)	
<i>Counterdefendants</i>)	

SUMMONS IN A CIVIL ACTION

To: *(Counterdefendant's name and address)*

Alec Chase
2005 South Main Street
Findlay, OH 45840

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on Counterclaimant an answer to the attached Counterclaim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the Counterclaimant's attorney, whose names and addresses are:

Janine T. Avila (0055853)
Adam S. Nightingale (0079095)
CONNELLY, JACKSON & COLLIER LLP
405 Madison Avenue, Suite 2300
Toledo, Ohio 43604
Telephone: (419) 243-2100
Facsimile: (419) 243-7119
javila@cjc-law.com
anightingale@cjc-law.com

Counsel for Defendant and Counterclaimant
Summit Entertainment, LLC

Jill M. Pietrini (*pro hac vice*)
Ryan S. Hilbert (*pro hac vice*)
SHEPPARD, MULLIN, RICHTER & HAMPTON LLP
1901 Avenue of the Stars, 16th Floor
Los Angeles, CA 90067
Telephone: (310) 228-3700
Facsimile: (310) 228-3701
jpietrini@sheppardmullin.com
rhilbert@sheppardmullin.com

Counsel for Defendant and Counterclaimant
Summit Entertainment, LLC

If you fail to respond, judgment by default will be entered against you for the relief demanded in the Counterclaim. You also must file your answer or motion with the court.

Date: April 30, 2012



s/ Dianne Gowing

Signature of Clerk or Deputy Clerk

AO 440 (Rev. 12/09) Summons in a Civil Action (Page 2)

Civil Action No. _____

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for (name of individual and title, if any) Alec Chase
 was received by me on (date) 4/31/2012

☒ I personally served the summons on the individual at (place) 2005 S Main St
Findlay, OH 45840 on (date) 5/2/2012; or

☐ I left the summons at the individual's residence or usual place of abode with (name) _____
 _____, a person of suitable age and discretion who resides there,
 on (date) _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on (name of individual) _____, who is
 designated by law to accept service of process on behalf of (name of organization) _____
 on (date) _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other (specify): _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00

I declare under penalty of perjury that this information is true.

Date: 5/2/2012

RVR
 Server's signature

Rusty Vaughn server/coowner
 Printed name and title

2050 Arbors PKWY S #50
Findlay, OH
 Server's address

Swift Attorney Service

Additional information regarding attempted service, etc.: 500 Allerton St., Suite 105, Redwood City, CA 94063

I acknowledge I am in receipt of these documents
presented to me by the process server.

[Signature] 5/2/12
SIGNATURE DATE

Alec B Chase Deputy
PRINTED NAME TITLE

Description

Name of person served Alec Chase Date 5/2/12

Time served: 6:30 p.m.

Description:

<input checked="" type="checkbox"/> M	<input type="checkbox"/> White Skin	<input checked="" type="checkbox"/> Black Hair	<input type="checkbox"/> 18-20 Yrs.
<input type="checkbox"/> F	<input type="checkbox"/> Black Skin	<input type="checkbox"/> Brown Hair	<input checked="" type="checkbox"/> 21-35 Yrs.
	<input type="checkbox"/> Yellow Skin	<input type="checkbox"/> Blonde Hair	<input type="checkbox"/> 36-50 Yrs.
	<input type="checkbox"/> Brown Skin	<input type="checkbox"/> Grey Hair	<input type="checkbox"/> 51-65 Yrs.
	<input type="checkbox"/> Red Skin	<input type="checkbox"/> Red Hair	<input type="checkbox"/> Over 65

Glasses? Y N

Approximate Height: 5'10"

Approximate Weight: 275